

Article - Public Utilities

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§12–101.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Authority” means the Maryland Underground Facilities Damage Prevention Authority.
- (c) “Business day” means a calendar day other than a Saturday, Sunday, or legal holiday.
- (d) “Demolition” means an operation in which a structure or mass of material is wrecked, razed, rended, moved, or removed using any tool, equipment, or explosive.
- (e) “Designer” means a licensed architect, professional engineer, professional land surveyor, or licensed landscape architect, as those terms are defined in the Business Occupations and Professions Article, who prepares a drawing for a project that may require excavation or demolition.
- (f)
 - (1) “Excavation” means an operation in which earth, rock, or other material in or on the ground is moved, removed, or otherwise displaced by using any tool, equipment, or explosive.
 - (2) “Excavation” includes grading, trenching, digging, ditching, dredging, drilling, boring, augering, tunnelling, scraping, cable or pipe plowing and driving a mass of material.
- (g) “Fund” means the Maryland Underground Facilities Damage Prevention Education and Outreach Fund.
- (h) “Legal holiday” means:
 - (1) the day on which a legal holiday, as defined in § 1–111 of the General Provisions Article, is observed; or
 - (2) a federal legal holiday.
- (i) “One–call system” means a communications system in the State that:

(1) allows a person to notify owner–members of planned excavation or demolition by:

- (i) calling a toll–free number or abbreviated dialing code; or
- (ii) initiating an interactive Internet ticket request; and

(2) maintains an underground facilities information exchange system.

(j) (1) “Owner” means a person that:

- (i) owns or operates an underground facility; and
- (ii) has the right to bury an underground facility.

(2) “Owner” includes:

- (i) a public utility;
- (ii) a telecommunications corporation;
- (iii) a cable television corporation;
- (iv) a political subdivision;
- (v) a municipal corporation;
- (vi) a steam heating company;
- (vii) an authority; and
- (viii) a unit of the State.

(k) “Owner–member” means an owner that participates as a member in a one–call system.

(l) (1) “Person” has the meaning stated in § 1–101 of this article.

(2) “Person” includes:

- (i) a municipal corporation;
- (ii) the State;

(iii) a political subdivision of the State; and

(iv) any governmental unit, department, or agency.

(m) “Ticket” means a numbered document issued by a one-call system to notify owner-members that:

(1) a person intends to perform an excavation or demolition; or

(2) a designer has requested information on the location of underground facilities under § 12-131 of this subtitle.

(n) “Underground facilities information exchange system” means an automated voice response unit or interactive Internet access system that is maintained as part of a one-call system.

(o) (1) “Underground facility” means personal property that is buried or submerged for:

(i) use in connection with the storage or conveyance of water, sewage, oil, gas, or other substances; or

(ii) transmission or conveyance of electronic, telephonic, or telegraphic communications or electricity.

(2) “Underground facility” includes pipes, sewers, conduits, cables, valves, lines, wires, manholes, attachments, and those portions of poles below ground.

(3) “Underground facility” does not include a stormwater drain.

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